

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)
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 Plaintiff,)
)
)
vs.) Case Number CR-02-169-C
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)
CARL RAY MONTGOMERY,)
)
)
 Defendant.)

MEMORANDUM OPINION AND ORDER

The undersigned referred Plaintiff's Motion for Judgment Debtor Exam to United States Magistrate Judge Doyle Argo, consistent with the provisions of 28 U.S.C. § 636(b)(3). After the hearing on the motion, Defendant's spouse filed several motions as an "innocent spouse" seeking to protect her interests in the assets addressed by the motion. On June 23, 2009, Judge Argo entered a Report and Recommendation ("R&R") finding Ms. Montgomery's motions should be rejected as premature. Ms. Montgomery timely objected, and the Court therefore considers the matter de novo.

The facts and law are accurately set out in the Magistrate Judge's Report and Recommendation and there is no purpose to be served in repeating them yet again. In her objection, Ms. Montgomery raises numerous arguments,^{*} but each are adequately addressed by Judge Argo's thorough and well reasoned R&R. Until the process of execution begins,

^{*} The law cited by Ms. Montgomery is unhelpful as it is inapplicable in this situation.

whether or not Ms. Montgomery's interests are adequately addressed or can be adequately addressed is not at issue. Thus, her motions are premature.

Accordingly, the Court adopts, in its entirety, the Report and Recommendation of the Magistrate Judge, and for the reasons announced therein, denies Ms. Montgomery's motions (Dkt. Nos. 85, 86, 87, 88, 90, 91, 92, and 93).

IT IS SO ORDERED this 17th day of July, 2009.



ROBIN J. CAUTHRON
United States District Judge